

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

BRIAN LOPEZ,

Defendant(s).

CASE NO. CR24-0090-KKE

ORDER GRANTING UNOPPOSED
MOTION TO APPOINT A
COORDINATING DISCOVERY
ATTORNEY

Counsel for Defendant Brian Lopez has moved for appointment of Russell M. Aoki of Aoki Law PLLC as Coordinating Discovery Attorney. Dkt. No. 26. The Government does not oppose the motion. *Id.* at 1.

Because discovery in this matter is expected to be voluminous (Dkt. No. 26 at 2), and because Aoki's experience as a Coordinating Discovery Attorney in more than 140 federal cases in 46 jurisdictions (*id.* at 3) will help defense counsel avoid duplicative work (*id.*), the Court finds good cause to GRANT the motion to appoint. Dkt. No. 26. It is hereby ORDERED that Russell M. Aoki of Aoki Law PLLC is appointed as Coordinating Discovery Attorney for court-appointed defense counsel.

The Coordinating Discovery Attorney shall oversee any discovery issues common to the court-appointed defendants. His responsibilities will include:

1 • Managing and, unless otherwise agreed upon with the Government, distributing discovery
2 produced by the Government and relevant third party information common to defendants;

3 • Assessing the amount and type of case data to determine what types of technology should
4 be evaluated and used so duplicative costs are avoided and the most efficient and cost-effective
5 methods are identified;

6 • Acting as a liaison with federal prosecutors to ensure the timely and effective exchange
7 of discovery;

8 • Identifying, evaluating, and engaging third-party vendors and other litigation support
9 services;

10 • Assessing the needs of individual parties and identifying any additional vendor support
11 that may be required—including copying, scanning, forensic imaging, data processing, data
12 hosting, trial presentation, and other technology depending on the nature of the case;

13 • Identifying any additional human resources that the individual parties may need for the
14 organization and substantive review of information; and

15 • Providing training and support services to the defense teams as a group and individually.

16 When executing these responsibilities, the Coordinating Discovery Attorney shall assess
17 the most effective and cost-efficient manner to organize the discovery with input from defense
18 counsel.

19 The Coordinating Discovery Attorney's duties do not include providing representation
20 services and will not be establishing an attorney-client relationship with any defendant. Discovery
21 intended for the counsel of a specific defendant and not to be shared with the other defense counsel
22 shall be produced by the Government directly to the defense counsel for that defendant. Discovery
23 issues specific to one defendant shall be addressed by defense counsel directly with the
24 Government and not through the Coordinating Discovery Attorney.

1 For any discovery common to all defendants already produced by the Government before
2 this Order, the Government shall provide a copy to the Coordinating Discovery Attorney within
3 14 days. Any additional discovery not already produced shall be provided directly to the
4 Coordinating Discovery Attorney, who shall duplicate and distribute the discovery to defense
5 counsel unless the Government elects to produce discovery directly to defense counsel with a
6 simultaneous copy to the Coordinating Discovery Attorney. The Government shall work with the
7 Coordinating Discovery Attorney to provide discovery in a timely manner.

8 The Coordinating Discovery Attorney shall petition this Court, *ex parte*, for funds for
9 outside services and shall monitor all vendor invoices for these services, including confirming the
10 work previously agreed to be performed. However, the Coordinating Discovery Attorney's time
11 and the time spent by his staff will be paid by the Administrative Office of the U.S. Courts,
12 Defender Services Office. All petitions for outside services shall include a basis for the requested
13 funds and a determination that the cost of the service is reasonable.

14 The Coordinating Discovery Attorney shall also provide this Court with monthly *ex parte*
15 status reports depicting the status of work and whether that work remains within the budget of any
16 funds authorized by the Court, with the copy provided to defense counsel.

17 Dated this 21st day of June, 2024.

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20 Kymberly K. Evanson
21 United States District Judge
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